

CC 93-22

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September 20, 1996

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William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

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SEP 20 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Re: Policies and Rules Governing Interstate Pay-Per-Call  
and Other Information Services Pursuant to the  
Telecommunications Act of 1996  
CC Docket No. 96-146; CC Docket No. 93-22

Dear Mr. Caton:

Pilgrim Telephone, Inc., through its counsel, hereby provides the Commission with copies of the Executive Summary and Table of Contents associated with its Reply Comments which it filed in the above-referenced proceeding.

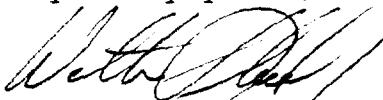
Pilgrim inadvertently omitted these documents during the duplication and filing process and is now submitting these to the Commission for its convenience, and compliance with the relevant portions of the Commission's rules.

Pilgrim is also attaching a copy of the Executive Summary and Table of Contents to its Reply Comments which it is providing to all commenting parties by U.S. mail, first-class postage prepaid.

Pilgrim also notes as an errata item that its paragraph numbering system should have referred to subparagraph 1, not 3, under III(G) on page 35 of its Reply Comments. The Table of Contents has been corrected to properly refer to this paragraph number.

If you have any questions or comments, please do not hesitate to contact us.

Very truly yours,

  
Walter Steimel, Jr.

cc: All Parties to this Action

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
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SEP 20 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Policies and Rules  
Governing Interstate  
Pay-Per-Call and Other  
Information Services  
Pursuant to the  
Telecommunications Act  
of 1996

CC Docket No. 96-146

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Policies and Rules  
Implementing the Telephone  
Disclosure and Dispute  
Resolution Act

CC Docket No. 93-22

REPLY COMMENTS

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Dated: September 20, 1996

## EXECUTIVE SUMMARY

In its Reply Comments, Pilgrim addresses a number of issues raised by other parties in the captioned proceeding. Pilgrim also identifies inconsistencies between comments of the parties and (1) the amendments to the Communications Act of 1934, 47 U.S.C. 151 et seq., occasioned by the 1996 Telecommunications Act, which expressed Congress's intent regarding the regulation of pay-per-call services; and (2) inconsistencies between the statements of parties and their actual practices.

Pilgrim begins by observing that while the NPRM may have been occasioned by Congressional changes, the proposed rules regarding pay-per-call far exceed the authority granted to the Commission in the 1996 Act. If the Commission recognizes the delicate balance struck by Congress and adopts rules consistent with it, such rules are likely to go into effect sooner, as they will not be reversed on appeal, and the associated disruption to the industry would be avoided.

Pilgrim calls upon the Commission to explicitly define those services which constitute information services and those which would be deemed to be common carrier services not subject to these rules. Clear and precise definitions will make the rules easier to understand and enforce. Any regulations adopted by the Commission should be content neutral to avoid raising constitutional concerns, and the Commission should take steps to protect the content neutrality of the application of any such rules.

Pilgrim reviews the natural limitations on 900 service and the proper scope of Congressional action. Among the items specifically determined by Congress are the limitations and requirements applied to presubscription agreements as well as to calling card issuance. Pilgrim calls upon the Commission to ensure a level playing field in any rules that it applies. Pilgrim also calls upon the Commission to expressly deny the local exchange carriers any role in the control or determination of whether services are in compliance with the rules, and to also require non-discriminatory provision billing and collection services by local exchange carriers. Pilgrim agrees with the comments of parties that the disclosure and consumer complaint processes should be standardized and streamlined for the benefit of consumers and all other parties involved.

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